

POST- DECISION ON MOTION TO DISMISS August 1996**Monetary Claims**

	Mitchell		Czorapinski		Creel		Mullineaux		MSP	State of Md.	Lewis
	Official	Personal	Official	Personal	Official	Personal	Official	Personal			
Count I Equal Protection §1983	Money damages barred by 11 th Am. immunity		Money damages barred by 11 th Am. immunity		Money damages barred by 11 th Am. immunity		Money damages barred by 11 th Am. immunity		Dis- missed	Money damages barred by 11 th Am. immunity	
Count II FMLA/ statute	Denied - FMLA clearly abrogated immunity*	Denied - Individual s fit within FMLA definition of employer	Denied - FMLA clearly abrogated immunity*	Denied - Individuals fit within FMLA definition of employer	Denied - FMLA clearly abrogated immunity*	Denied - Individuals fit within FMLA definition of employer	Denied - FMLA clearly abrogated immunity*	Denied - Individuals fit within FMLA definition of employer	Dis- missed	Denied - FMLA clearly abrogated immunity *	
Count II FMLA §1983									Dis- missed		
Count II Retaliation											
Count III Maryland Declaration of Rights	Dismissed by Plaintiff	Dismissed by Plaintiff	Dismissed by Plaintiff	Dismissed by Plaintiff	Dismissed by Plaintiff	Dismissed by Plaintiff	Dismissed by Plaintiff	Dismissed by Plaintiff	Dis- missed by Plaintiff	Dismissed by Plaintiff	

* Court did not address issue whether Congress acted “pursuant to a valid exercise of power” because it was not raised by the parties. 935 F.Supp. at 663.

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April 20, 2004